

**Sonos, Inc.’s Opp’n to Google LLC’s
Motion *In Limine* No. 1**

EXHIBIT F

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
3 SONOS, INC.,
4 Plaintiff,
5 vs. Case No. 3:21-CV-07559-WHA
6 GOOGLE LLC
7 Defendant.

8 -----
9 -AND-

9 GOOGLE LLC,
10 Plaintiff,
11 vs. Case No. 3:20-CV-06754-WHA
12 SONOS, INC.,
13 Defendant.

14 -----
15 **HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY**

16 **SOURCE CODE**

17 ZOOM DEPOSITION OF DAN SCHONFELD, Ph.D.
18 (Reported Remotely via Video & Web Videoconference)
19 Northbrook, Illinois (Deponent's location)
20 Wednesday, August 31, 2022

21 STENOGRAPHICALLY REPORTED BY:

22 REBECCA L. ROMANO, RPR, CSR, CCR

23 California CSR No. 12546

24 Nevada CCR No. 827

25 Oregon CSR No. 20-0466

Washington CCR No. 3491

JOB NO. 5414658

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1 assume it was similar to the prior art, then it 12:49:06
2 would be technologically comparable to the
3 '885 patent, correct?

4 MS. AUBRY: Objection. Form.

5 THE DEPONENT: I mean, this is a 12:49:18
6 technology -- if you make the assumption that
7 something satisfies a similarity, then -- then it's
8 similar. If you make the assumption that something
9 is comparable, then it's comparable, and it is just
10 not the case in here. And it's a hypothetical that 12:49:30
11 is exactly contrary to -- to the actual situation
12 at hand.

13 Q. (By Mr. Smith) Now, something can be
14 technologically comparable to the '885 patent
15 without teaching each and every limitation of the 12:49:50
16 claims, correct?

17 A. I agree with that.

18 And, by the way, again, I apologize for
19 the background noise. I don't know how long it's
20 going to -- to last, but I think if you wanted to 12:50:21
21 take a -- a break period while they're working -- I
22 don't know if it's bothering you, the background,
23 or not.

24 MR. SMITH: Yeah, so we have been going
25 for a while now. Do you guys want to take a lunch 12:50:31

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1 circumstances, what criteria did you use to 02:05:54
2 evaluate the comparability with the '885 patent?
3 MS. AUBRY: Objection. Form.
4 THE DEPONENT: So I only looked at one
5 aspect. I looked only at the technological 02:06:30
6 comparability, not the technology comparability,
7 and I looked to see that the technology was
8 similar; meaning, in a similar area, addressing
9 similar problems, and that, basically, from my
10 perspective, it was something that you -- you would 02:06:52
11 look to the same field, looking at similar problems
12 in both cases.
13 Q. (By Mr. Smith) And for something to be
14 technologically comparable, it doesn't need to
15 practice the claimed invention, correct? 02:07:09
16 A. Yeah, I think you asked me earlier today,
17 and I agreed with you back then and I -- and I
18 agree with you now.
19 Q. I mean, how many claim elements does it
20 need to practice to be comparable? 02:07:22
21 A. I am -- well, I'm not an attorney. I
22 have never dealt with such a question before. So I
23 leave it to the courts to make a determination, but
24 I would not be surprised if the answer is,
25 potentially, "none," as long as it's addressing the 02:07:41

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1 similar -- a similar problem. It's in the similar 02:07:44
2 field. If it does it in such in a way that none of
3 the limitations are exactly satisfied, it may still
4 be comparable.

5 Q. Okay. And if we could go back to your -- 02:08:05
6 your opening report and turn to the section on
7 comparable licenses, and that's on page 487,
8 starting with paragraph 739.

9 Can you let me know when you get there.

10 A. Yes, I'm -- I'm here. 02:08:32

11 Q. If we go to paragraph 744, that is a
12 section discussing an agreement with
13 Outland Research LLC?

14 A. I do.

15 Q. And in paragraph 70- -- 745 of your 02:08:45
16 report, you state that, "I have reviewed the
17 Outland Research LLC patents subject to this
18 agreement and have determined that a number of them
19 are technologically comparable to the '885 patent
20 asserted by Sonos here." 02:09:01

21 Do you see that statement?

22 A. I do.

23 Q. You reviewed all the patents subject to
24 the Outland Research agreement, correct?

25 A. I don't recall. I would have to go back 02:09:17

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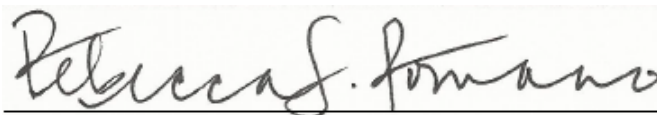
1 I, Rebecca L. Romano, a Registered
2 Professional Reporter, Certified Shorthand
3 Reporter, Certified Court Reporter, do hereby
4 certify:

5 That the foregoing proceedings were taken
6 before me remotely at the time and place herein set
7 forth; that any deponents in the foregoing
8 proceedings, prior to testifying, were administered
9 an oath; that a record of the proceedings was made
10 by me using machine shorthand which was thereafter
11 transcribed under my direction; that the foregoing
12 transcript is true record of the testimony given.

13 Further, that if the foregoing pertains to the
14 original transcript of a deposition in a Federal
15 Case, before completion of the proceedings, review
16 of the transcript ☐ was ☒ was not requested.

17 I further certify I am neither financially
18 interested in the action nor a relative or employee
19 of any attorney or any party to this action.

20 IN WITNESS WHEREOF, I have this date
21 subscribed my name this 6th day of September, 2022.

22
23 

24 Rebecca L. Romano, RPR, CCR
25 CSR. No 12546